

IN THE UNITED STATES DISTRICT COURT
FOR THE STATE OF NEW MEXICO

STATE OF NEW MEXICO, *ex rel.*
State Engineer

Plaintiff,

v.

RAMON ARAGON, *et al.*,

Defendants.

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69cv7941 JC

RIO CHAMA STREAM SYSTEM
Rio Gallina, Section 5

**NEW MEXICO'S MOTION TO JOIN
ADDITIONAL PARTIES DEFENDANT**

COMES NOW plaintiff State of New Mexico, *ex rel.* State Engineer ("State") and respectfully requests the Court to join as additional parties defendant the persons or entities named below and order them to answer the State's Complaint in this action as required in any civil action in the United States District Court or suffer default judgment against them. In support of this motion, the State asserts:

1. The persons listed in Exhibit A attached hereto are diverting and using or may claim the right to divert and use surface or underground waters within the Rio Chama Basin. These waters belong to the public and are subject to appropriation in accordance with the laws of the state. This Court has exclusive jurisdiction of adjudicate all claims to the right to divert, store, or use public waters in the Rio Chama Basin.

2. The persons or entities listed in Exhibit A are in the Rio Gallina Section of the Rio Chama Basin, and may be diverting and using water associated with the subfile numbers listed, or may otherwise be using and diverting surface or underground waters within the Rio Gallina Section.

DATED: August 9, 2000

Respectfully submitted,



EDWARD G. NEWVILLE
Special Assistant Attorney General
Office of the State Engineer
P.O. Box 25102
Santa Fe, NM 87504-5102
(505) 827-6150

CERTIFICATE OF SERVICE

I certify that copies of New Mexico's Motion to Join Additional Parties Defendant were mailed to all counsel of record on August 10, 2000.



Edward G. Newville

EXHIBIT A

<u>DEFENDANT</u>	<u>SUBFILE NO.</u>	<u>ADDRESS</u>
Jacquez, Alice	CHGA-02-0032	P.O. Box 48, Gallina NM 87017
Leyba, Andrew J.	CHGA-02-0035	2949 Clover Ln. SW, Albuquerque NM 87105
Leyba, Anthony	CHGA-02-0035	2949 Clover Ln. SW, Albuquerque NM 87105
Leyba, Edward	CHGA-02-0035	2949 Clover Ln. SW, Albuquerque NM 87105
Maestas, Alfirio	CHGA-02-0020	3202 Coronado Avenue, Farmington NM 87401
Maestas Jr., Gabriel	CHGA-02-0027	P.O. Box 5, Gallina NM 87017
Maestas, Mary Ann	CHGA-02-0027	P.O. Box 5, Gallina NM 87017
Maestas, Max	CHGA-020020	801 Spruce, Farmington NM 87401
Maestas, Ramoncita	CHGA-02-0018	4205 Hudson St., Farmington NM 87402
Sanchez Estate, Eugenio	CHGA-03-0001, 03-0002	3202 Coronado Avenue, Farmington NM 87401
Serrano, Elaine	CHGA-02-0003	P.O. Box 136, Gallina NM 87017
Serrano Jr., Ernesto J.	CHGA-02-0003	P.O. Box 146, Gallina NM 87017
Serrano, Maurice	CHGA-02-0003	P.O. Box 231, El Rito NM 87530
Shipley, Florence	CHGA-02-0005	P.O. Box 94-A, Lindrith NM 87029
Valdez, Mark W.	CHGA-02-0003	P.O. Box 136, Gallina NM 87017
Velasquez, Genevieve M.	CHGA-02-0027	P.O. Box 2092, Alamogordo NM 88311
Velasquez, Laura A.	CHGA-02-0024	P.O. Box 23, Gallina NM 87017
Velasquez, Luis Toby	CHGA-02-0027	P.O. Box 2092, Alamogordo NM 88311
Velasquez, Steve E.	CHGA-02-0024	P.O. Box 23, Gallina NM 87017
Vigil, Helen	CHGA-04-0001	P.O. Box 234, El Rito NM 87530
Vigil, Julian	CHGA-04-0001	c/o Jeff Vigil, P.O. Box 213, Gallina NM 87017
Vigil, Linda	CHGA-04-0001	8401 Wynview Ct., NW, Albuquerque NM 87120
Vigil, Mary	CHGA-04-0001	c/o Jeff Vigil, P.O. Box 213, Gallina NM 87017

Vigil, Olivia	CHGA-04-0001	P.O. Box 592, Española NM 87532
Vigil, Robert	CHGA-04-0001	c/o Jeff Vigil, P.O. Box 213, Gallina NM 87017
Wilson, Rosalie F.	CHGA- 03-0015, 03-0020	P.O. Box 162, Kirtland NM 87417